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4 Plaintiff, Pro se

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7 **UNITED STATES DISTRICT COURT**  
8 **CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION**

9 **VOICE INTERNATIONAL, INC., a**  
**California corporation; DAVID**  
10 **GROBER, an individual,**

11 **Plaintiffs,**

12 **vs.**

13 **OPPENHEIMER CINE RENTAL,**  
**LLC, a Washington corporation;**  
14 **OPPENHEIMER CAMERA**  
**PRODUCTS, INC., a Washington**  
15 **corporation; MARTY**  
**OPPENHEIMER, an individual;**  
16 **JORDAN KLEIN, SR., an individual;**  
**JORDAN KLEIN, JR., an individual;**  
17 **JOHN DANN, an individual; MAKO**  
**PRODUCTS, an unknown entity,**  
18 **OCEANIC PRODUCTION, LTD., a**  
19 **Bahamian company; and DOES 1-10,**  
**inclusive,**

20 **Defendants**  
21  
22

**Case No.: 2:15-cv-08830-JAK(KS)**

**Declaration of David Grober In**  
**Support of Plaintiffs' Supplemental**  
**Reply To Defendants' Motion To**  
**Dismiss For Lack Of Personal**  
**Jurisdiction**

23 I, David Grober, declare as follows:  
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25 1. I am the Plaintiff in the above-entitled civil action and the inventor of the  
26 '662 patent-in-suit. I have personal knowledge of the facts alleged herein and if  
27 called to testify, I would and could competently testify thereto.  
28

1 2. Attached as Exhibit A is a true and correct copy of OPEL's Responses to  
2 Plaintiffs' Interrogatories. OPEL lists payments it received from Oppenheimer  
3 pertaining to the MakoHead on page 6.

4 3. Attached as Exhibit B is a true and correct copy of documents obtained  
5 through 3<sup>rd</sup> party subpoena to Lynden International which show that Original  
6 Productions was shipping the MakoHead from Alaska to OPEL at the Summerfield  
7 compound. Original Productions' Burbank, CA address is also prominently on the  
8 shipping label.

9 4. Attached as Exhibit C is a true and correct copy of an email from Original  
10 Productions to John Dann showing Original Productions' Burbank, California  
11 address. This was produced by John Dann as part of the 9,383 emails that he  
12 improperly withheld until the end of Mako-1 and released in August 2015.

13 5. Exhibit D consists of true and correct copies of emails produced by  
14 Oppenheimer, which show communications between Dann, Oppenheimer and/or  
15 Original Productions and are labeled as OPP000128, 131, 422, 423, 445. As these  
16 documents are labeled "Confidential," they are being submitted separately under  
17 seal.

18 6. Exhibit E consists of true and correct copies of Statements and Quickbooks  
19 reports generated by John Dann and claiming to be OPEL's accounting. As these  
20 documents are labeled "Confidential," they are being submitted separately under  
21 seal.

22 7. Exhibit R is a true and correct copy of a side-by-side comparison of the  
23 actually issued invoices which were produced by Oppenheimer alongside the  
24 altered invoices produced by OPEL.

25 8. Omitted.

26 9. Exhibit H consists of a true and correct copy of an email from Dann to  
27 Oppenheimer where he also refers to "the boss," but this time clarifies that the boss  
28 is "Jordy." Jordy is Jordan Klein Jr. Jordy is fully involved including overseeing

1 the monies coming in from Original Productions, which this email refers to.  
2 Following the money, these revenues were deposited into the Suntrust 224 account,  
3 which is, after Mako is dissolved, the personal account of the Kleins as the only  
4 signatories. As this document is labeled "Confidential," it is being submitted  
5 separately under seal.

6 10. In reference to Klein Sr.'s declaration doc. 5-1, para 12 where he states; "I  
7 am not an officer, director, member, principal, agent, shareholder, debtor, creditor,  
8 licensee, licensor, employee or contractor of Oceanic Production Equipment LTD. I  
9 have no official relationship with Oceanic Production Equipment LTD. Attached  
10 as Exhibit I are true and correct copies of screenshots of Jordan Klein, Sr.'s  
11 LinkedIn profile page. The first one was taken on 4/4/17 and shows him having  
12 208 connections. The second one was taken on 11/3/16 and shows him having 205  
13 connections and the third one was taken on 6/20/16 and shows him having 204  
14 connections. If this account was no longer in use you would not expect to see him  
15 increasing his number of contacts over the last year. All three screenshots show  
16 Klein Sr. representing himself as Managing Director of OPEL from 2013 to the  
17 present. This directly contradicts Klein Sr.'s declaration. Defendants state  
18 whatever is needed to get them out of the crisis of the instant.

19 Regardless, the MakoHeads used for Original Productions could not belong to  
20 OPEL as per Dann's declaration and Suntrust account #224 showing of revenues  
21 and Oppenheimer OPP000001, "Paid to Mako"

22 11. Attached as Exhibit J are true and correct copies of screenshots taken of John  
23 Dann's two LinkedIn profile pages. One identifies him as Manager of OPEL and  
24 the other as Operations at OPEL. Dann's declaration says he owns OPEL.

25 12. Attached as Exhibit K is a true and correct copy of a chart showing the  
26 locations at various times over the last few years of the five MakoHeads that were  
27 sold in the bankruptcy. The chart was created using invoices and emails produced by  
28

1 Oppenheimer as well as emails from John Dann's withheld 9,383 emails produced  
2 in August, 2015, Case CV 08604-JZ (Mako-1) Dkt 506.

3 13. Plaintiffs' efforts to get documents from third parties have encountered  
4 obstacles. For example, when asked for all the email communications with the  
5 Florida Defendants, their attorney responded with boilerplate objections and no  
6 documents. Attached as Exhibit L is a true and correct copy of a letter received  
7 from Defendants' counsel, Mark Young.

8 14. After learning from Attorney Young that the custodian of the Florida  
9 Defendants' emails was pair.com, we subpoenaed those records from them. They  
10 responded with objections and said they would only be released with the Florida  
11 Defendants' (Dann's) consent. They asked Dann for such consent, and he refused.  
12 Attached as Exhibit M is a true and correct copy of the letter received from  
13 Pair.Net.

14 15. The Florida Defendants refuse to obtain their corporate documents for  
15 Plaintiffs. Attached as Exhibit N is a true and correct copy of John Dann's (OPEL)  
16 Responses to Plaintiffs' Requests For Production. See pages 22-23.

17 16. It took me eight years, hundreds of thousands of dollars, and thousands of  
18 hours of my unpaid time. Attached as Exhibit P is a true and correct copy of an  
19 article written about the creation of my invention. Compare this with the Court  
20 statement of Mako's Engineer, Tom Smith who stated he received sensors and  
21 technology from Waterford and was paid roughly \$18,000 to develop the  
22 MakoHead. Attached as Exhibit G is a true and correct copy of relevant pages of  
23 the Reporter's Transcript of the 9/29/08 hearing in the Mako-1 case where Tom  
24 Smith is being questioned by Attorney Lauson. Waterford was paid a similar  
25 amount. Doc. 65-6 pgs. 14-16.

26 17. The harm to California is deep. I have given back to the Los Angeles  
27 community for decades. In 1996 I was chosen by the LA Times, AT&T, and the  
28 Los Angeles Dodgers as a HOMETOWN HERO, honored on the field for my

1 volunteer work with inner city students. Attached as Exhibit F is a true and correct  
2 copy of a photograph of the award I received for this honor. I have been a “Big” in  
3 the Big Brother program. I also set up a program to take orphan kids out on the  
4 ocean. Attached as Exhibit Q are true and correct copies of photographs of some of  
5 those trips. In 1996 I was chosen by the United Way and the Los Angeles Olympic  
6 committee to carry the Olympic Torch on its way to the Atlanta Olympics, as an  
7 honor for my volunteer work teaching inner city students. Attached as Exhibit O is  
8 true and correct copy of a photograph of a newspaper article and accompanying  
9 picture of me carrying the torch.

10 I was hired by the Navy’s Office of Naval Research to create a STEM  
11 (Science Technology, Engineering, Math) program for high school students. When  
12 the two year program was cut short by sequestration, I ran the program on a  
13 volunteer basis with others. The financial strain of 13 years of this litigation, and  
14 the thousands of hours I have spent on this case in my effort to stem the Kleins and  
15 Dann infringement after they stole my trade secrets and system components through  
16 my former employee, Steve Waterford, has severely limited my efforts to continue  
17 my level of volunteer work for kids and the community. This affects California.

18 During this jurisdiction motion period I noted to the Court I was overseas on  
19 a U.S. Navy/ Scripps Institute of Oceanography program. I am a volunteer  
20 scientist/videographer and was part of a team doing deep sea oceanographic  
21 research near Palau. I spent numerous hours attempting communications and  
22 writing materials for this jurisdiction inquiry. This impacted my shipboard duties,  
23 and though minimally, affects the program of which California’s Scripps Institute is  
24 part of. In numerous ways, Defendants’ infringement has affected California.

25 18. The case has come to the attentions of at least two California congressmen.  
26 Congresswoman Karen Bass and her staff have engaged in multiple conversations  
27 and meetings, and read numerous documents in this case attempting to understand  
28 how reviewing if a sensor is fixed to a payload platform can go on 13 years and a

1 viable young company be destroyed and Californians lose their jobs. Congressman  
2 Ted Lieu likewise has an interest and had one of their staff call in to listen in on a  
3 telephonic hearing.

4  
5 I declare under penalty of perjury that the foregoing is true and correct,  
6 executed this 20<sup>th</sup> day of January 2017 in Te Anau, New Zealand.

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8 By: /s/ David Grober  
9 David Grober  
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